

SPECIAL TOWN MEETING

November 4, 2003

At a legal meeting of the inhabitants of the Town of Westford, qualified by law to vote in Town affairs, held at the Abbot School on Tuesday, November 4, 2003, called to commence at 7:30 pm, the following business was transacted:

Election officers, using voting lists, acted as tellers at the doors. More than 200 voters were in attendance as the meeting began. A total of 511 voters attended the meeting.

Ellen Harde, Town Moderator, declared that a quorum was present and called the meeting to order at 7:32 pm.

It was voted unanimously to allow Town employees and consultants who are not residents to address this meeting.

ARTICLE 1. Reduction of CPA surcharge from 3% to 1% / By Petition

The motion FAILED for lack of a majority.

Selectmen do not Recommend Approval
Finance Committee does not Recommend Approval

ARTICLE 2. Renaming of the Stony Brook School / By Petition

A MOTION to AMEND the main motion to rename the parcel containing “Stony Brook School” off Groton Road to “Veterans Memorial Complex” was determined by the Moderator to be outside of the scope of the Warrant Article and therefore OUT OF ORDER.

It was VOTED to POSTPONE Article 2 indefinitely. There was no further action taken under Article 2

Town Meeting then VOTED to adopt the following RESOLUTION presented by Paul Murray:

Town Meeting adopts the resolution to rename the Farmer Parcel, off Groton Rd, to the Veterans Memorial Complex.

ARTICLE 3: Commercial and Industrial Growth Control Regulation / By Petition

It was VOTED that the Town refers Article 3 to the Master Plan Implementation Committee for further study and directs that they work with the petitioners to formulate recommendations addressing the issue of commercial growth for the Spring 2004 Town Meeting.

ARTICLE 4. Highway Department Chapter 90 Funds / Town Manager

It was VOTED UNANIMOUSLY that the Town appropriate the sum of FOUR HUNDRED FORTY THOUSAND SIX HUNDRED NINETY FOUR DOLLARS (\$440,694) from the proceeds due the Town under the provisions of Chapter 246B of the Acts of 2003.

*Selectmen Recommend Approval
Finance Committee Recommends Approval*

A MOTION was then duly made and seconded for the following RESOLUTION:

To see if the Town will adopt an appropriations structure where each departmental budget is approved as a single line item for the next fiscal year.

The RESOLUTION FAILED for lack of a majority.

ARTICLE 5. Fiscal Year 2004 Supplemental Appropriations: Various Departments / Town Manager

It was VOTED that the Town raise and appropriate the sum of NINETY FOUR THOUSAND SIX HUNDRED FORTY DOLLARS (\$94,640.00) in order to supplement the following operating budgets for the Fiscal Year ending June 30, 2004 in the following amounts:

\$35,700 to: Technology, Personal Services
\$10,500 to: Technology, Personal Services
\$10,000 to: Permitting Department, Personal Services
\$10,000 to: Unclassified, Expenses
\$28,440 to: Recycling, Expenses

*Selectmen Recommend Approval
Finance Committee Recommends Approval*

ARTICLE 6. Fiscal Year 2004 Transfers; Various Departments / Town Manager

A MOTION was duly made and seconded and then AMENDED to include a transfer from the Water Enterprise Fund Available Funds, so that the final motion that was VOTED by majority follows:

That the Town transfer the sum of SEVEN THOUSAND ONE HUNDRED FIFTY DOLLARS (\$7,150.00) from and to the following accounts in the following amounts:

\$ 5,000 from: Council on Aging, Personal Services
to: Town Manager, Expenses
\$ 1,500 from: Council on Aging, Personal Services
to: Adult Supportive Day Care, Personal Services
\$ 650 from: Council on Aging, Personal Services
to: Senior Center, Expenses

And further that the town transfer from Water Enterprise Fund Available Funds the sum of FIVE HUNDRED SIXTY FIVE THOUSAND EIGHT HUNDRED NINETEEN (\$565,819.00) DOLLARS to the Fiscal Year 2004 Water Enterprise Fund Operating Budget and reduce the amount to be raised from Water Revenue by said amount.

Selectmen Recommend Approval
Finance Committee Recommends Approval

ARTICLE 7. Reduce Appropriation for Nashoba Valley Technical School Fiscal 2004 / Town Manager

A MOTION was duly made and seconded and then AMENDED to further reduce the appropriation, so that the final VOTE that passed UNANIMOUSLY was as follows:

That the Town reduce the appropriation voted for the Nashoba Valley Technical High School for the Fiscal Year ending June 30, 2004 from \$490,421 to \$460,430 for Expense and from \$156,722 to \$0 for Chapter 70 State Aid Pass Through based on the re-certification of October 14, 2003.

Selectmen Recommend Approval
Finance Committee Recommends Approval

ARTICLE 8: Payment of Unpaid Bills for Prior Fiscal Years / Town Manager

It was VOTED UNANIMOUSLY that the Town raise and appropriate the sum of THREE HUNDRED AND THIRTY FOUR DOLLARS AND 85/100 (\$334.85) for the payment of the following unpaid bills of prior fiscal years in accordance with Massachusetts General Laws Chapter 44, Section 64:

Damage to Persons and Property	\$300.00
Legal Advertising	\$ 34.85

Selectmen Recommend Approval
Finance Committee Recommends Approval

ARTICLE 9. Reduce Amount Raised by Taxes in FY04 / Finance Committee

It was VOTED UNANIMOUSLY that the Town direct the Assessors to take \$470,961.03 from NESWC Reserve, \$1,004,923.42 from Stabilization Fund, and \$3,474,880.88 from Free Cash to reduce the net amount to be raised for Fiscal Year 2004.

*Selectmen Recommend Approval
Finance Committee Recommends Approval*

ARTICLE 10. Appropriation to Stabilization Fund 2004 / Finance Committee

It was VOTED UNANIMOUSLY to DISMISS this article.

ARTICLE 11. Community Preservation Funds Appropriation / Community Preservation Committee

It was VOTED UNANIMOUSLY that the Town appropriate from Community Preservation Funds pursuant to MGL Chapter 44B, in accordance with the recommendations of the Westford Community Preservation Committee to appropriate ONE MILLION FORTY SIX THOUSAND TWO HUNDRED THREE AND 83/100 DOLLARS (1,046,203.83), as follows:

\$700,000.00	To assist in the purchase of the 107-acre Stepinski parcel for water resources/well development, open space, water resource protection, and passive and active recreation	<i>Westford Conservation Commission and Water Department</i>
\$150,000.00	To assist the Conservation Commission in the facilitation of and the actual purchase of land	<i>Conservation Commission</i>
\$4,000.00	For the preservation of historic town documents	<i>Town Records Preservation Committee</i>
\$92,203.83	To the Historic Resources Reserve Account	<i>Historic Resources Reserve</i>
\$100,000.00	For an Affordable Housing Buy-Down Program that would establish a reserve account to buy-down the cost of existing affordable units	<i>Westford Housing Authority</i>

*Selectmen Recommend Approval
Finance Committee Recommends Approval*

ARTICLE 12. Appropriation from Water Department's Available Funds to purchase Stepinski land / Board of Water Commissioners

It was VOTED UNANIMOUSLY that the Town authorize the Board of Selectmen, pursuant to Mass Gen. Laws c. 40 S14, to purchase or acquire by eminent domain, some or all of a parcel of land (the so-called Stepinski parcel) shown on Assessors Map 31 parcels 35, 35.1 and 33 containing 107(+/-) acres, located off River Street and also shown on a plan entitled "Plan of Land in Westford, MA, prepared for Henry E. James and Mortimer J. Stepinski", dated May 2000 and prepared by David E. Ross and Associates Inc.; and further that the Town appropriate FIVE HUNDRED THOUSAND DOLLARS (\$500,000) by transfer from the Water Department's Available Funds for said purpose; and further, that the Town place 36 (+/-) acres under the care, custody and control of the Water Department for the purpose of developing and protecting a future public well; and, further that the Town place 15 (+/-) acres under the care, custody and control of the Recreation Department for future recreation uses; and, further that the Town place 56 (+/-) acres under the care, custody and control of the Conservation Commission for future open space and conservation uses; and further that such delineation of land shall be further defined in a plan of land to be prepared by the Town, following acquisition of the land, and approved by Town Meeting pursuant to the provisions of Mass. Gen. Laws c. 40, §15A; and further, that the Town authorize the Board of Selectmen to enter into any agreements or take any actions which are necessary to facilitate the acquisition of said land by the Town.

*Selectmen Recommend Approval
Finance Committee Recommends Approval*

A MOTION was made to AMEND the main motion by deleting the words "and, further that the Town place 15 (+/-) acres under the care, custody and control of the Recreation Department for future recreation uses; and, further that the Town place 56 (+/-) acres under the care, custody and control of the Conservation Commission for future open space and conservation uses;" and replace the word "such" in the sentence that follows with the word "any" and to replace the word "Town" in the line that follows with "Board of Selectmen". The MOTION FAILED for lack of majority.

ARTICLE 13. Land Gift on Acton Road / Board of Selectmen

It was VOTED UNANIMOUSLY that the Town authorize the Board of Selectmen, pursuant to Mass. Gen. Laws c. 40 sec. 3, to accept as a gift of land from Verna Williams, a parcel of land located off Acton Road / Griffin Road, containing approximately 0.48 acres, consisting of portions of Town of Westford Assessors' Map Number 13-35 and also shown as "Parcel D" on a Plan entitled "Plan of Land in Westford, MA Belonging to Oscar Williamson", dated October 1967 and prepared by Richard L. McGlinchey, and recorded as Book 107 Page 22;

And that the Town authorize the Board of Selectmen to enter into any agreements and take any actions which are necessary to facilitate the acquisition of said land by the Town;

*Selectmen Recommend Approval
Finance Committee Recommends Approval*

ARTICLE 14. Sale of Tax Title adjacent to 6 Crescent Street / Board of Selectmen

It was VOTED UNANIMOUSLY That the Town authorize the Board of Selectmen, pursuant to Mass. Gen. Laws; c 40, sec.3 and c. 30B sec. 16, to sell a parcel of land located adjacent to 6 Crescent Street containing approximately 0.10744 acres, consisting of portions of Town of Westford Assessors' Map Number 54-10 and also shown on a plan entitled "Street Acceptance Plan of Mulberry Lane in Westford, MA", prepared by Richard McGlinchey, dated January 31, 1973, recorded June 27, 1973, Plan 117 and Book 31;

And that the Town authorize the Board of Selectmen to enter into any agreements and actions which are necessary to facilitate the sale of said land by the Town;

*Selectmen Recommend Approval
Finance Committee Recommends Approval*

ARTICLE 15. Utility Easement on driveway at Highway Garage / Board of Selectmen

It was VOTED UNANIMOUSLY that the Town accept, pursuant to MGL 40 Section 3, to accept from Carol Hillman Trust, a 20 feet wide Grading and Utility easement over a portion of the land located on the driveway to the Highway Facility located off North Street containing approximately 6,454 square feet, consisting of portions of Town of Westford Assessors' Map Number 30-29.01 and also identified as being shown on a plan entitled "Easement Plan of Land in Westford, Massachusetts Depicting "Hillman Access Plan" as Presented and Accepted at Special Town Meeting 11/13/2000 Prepared by Town Engineer Mark Hamel, P.E. 11/16/2000"; dated November , 2000, prepared by the Town of Westford Engineering Department.

*Selectmen Recommend Approval
Finance Committee Recommends Approval*

ARTICLE 16. Misty Lane, Jennie Richards Road drainage and trail easement / Board of Selectmen

It was VOTED UNANIMOUSLY to DISMISS this Article.

ARTICLE 17. Street Acceptance / Board of Selectmen

It was VOTED UNANIMOUSLY That the Town, pursuant to M.G.L. Chapter 82, accepts the following streets as Town public ways:

- April Lane, May Road, Lanes End, located at the so called Villages at Westford Subdivision as shown on a plan entitled "Street Acceptance Plan" prepared by LandTech, dated June 22, 2001.
- Anne Teresa Way, Ashley Place, located at the so called Sweetser's Place II subdivision as shown on a plan entitled "Street Acceptance Plan" prepared by LandTech, dated February 5, 2002.

- Russell's Way (Station 120+25 to end), Chandler Road and Caldwell Drive, located at the so called Greystone Estates subdivision as shown on plans entitled "Street Acceptance Plan" prepared by LandTech, dated May 9, 2003, May 9, 2003 and May 12, 2003 respectively.

Selectmen Recommend Approval

The meeting adjourned at 11:00 pm.